

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 26-36 are currently pending. Claims 26, 29, 32 and 34 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 26-36 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2004/0128685 of Hassell et al. (hereinafter, merely "Hassell") in view of U.S. Patent No. 7,185,355 to Ellis et al. (hereinafter, merely "Ellis").

Applicants respectfully traverse this rejection.

Independent claim 1 is representative and recites, *inter alia*:

"display means for displaying only digital content selected by the filtering means in a first listing of first digital content previously broadcast and available for immediate reproduction by the receiver, and a second listing of second digital content not yet broadcast, the first listing visually distinguishable from the second listing

...
wherein a first integral listing of the first listing not including the second listing and a second integral listing of the second listing not including the first listing are displayed in a combined listing with the first integral listing visibly segregated from the second integral listing” (emphasis added).

Thus, in the present application digital content is displayed in two listings: a first listing of first digital content previously broadcast and available for immediate viewing by a user and a second listing of second digital content not yet broadcast. In an aspect of claim 1, the first and second listings include only digital content that suits the user’s tastes. That is, the digital content has been filtered based upon a comparison of the attributive information with the user’s selective information.

A first and second integral listing includes a respective first/second listing without the other listing. Both the first and second integral listings are displayed together in a combined listing. The first integral listing of digital content (previously broadcast and available for immediate viewing) is segregated from the second integral listing of digital content (scheduled for recording in the future, i.e., not yet broadcast). FIG. 8 and Publ. App. pars. [0115]-[0117].

The receiving apparatus only stores the program, which is selected by the filter based upon the user’s preferences. Therefore, because it is not necessary for the receiver to store all broadcast programs, the storage of the receiver is used more efficiently. Thus, the receiver stores and displays only the program, which suits the user’s taste. The complication upon selecting the program, which the user hopes for, among all broadcast programs is eliminated. Publ. App. par. [0045].

Neither Hassell nor Ellis disclose the features of claim 26 as discussed herein above.

Independent claims 29, 32, and 34 are believed patentable for substantially the same reasons as claim 26.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


Claims 26-36 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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